THE HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.2598 of 2006

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Dated: February 16, 2006

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Between:

M/s. Nagarjuna Modern Rice Mill,

Village N. Annaram, Mandal Penpahad,

District Nalgonda, Rep. By its

Proprietor D. Murali, S/o. Late Laghupathi

Rao, Aged 60 years, Occ: Business,

R/o. Village N. Annaram, Mandal Penpahad,

District Nalgonda.

… Petitioner

And

The Managing Director,

Andhra Pradesh State Financial Corporation,

Chirag Ali Lane, Abids, Hyderabad, and two

Others.

… Respondents

Order:

In this Writ Petition, the petitioner is seeking direction by way of Writ of Mandamus to declare the action of the respondents in demanding a sum of Rs. 37,704/- to consider the application of the petitioner for One Time Settlement to settle his loan account.

2. The petitioner earlier approached this Court and filed Writ petition in W.P.No.8866 of 2005 on the ground that his application for One Time Settlement (O.T.S) was not being considered. This Court has directed the respondents therein to consider the representation dated 31-03-2005 as per the scheme governing One Time Settlement. Pursuant to the directions of this Court, respondents have issued letter dated
13-01-2006 asking the petitioner to deposit an amount of Rs.37,704/- to consider his claim for O.T.S. It represents 15% of the balance payable amount and the said condition is in consonance with the scheme condition. In that view of the matter, it cannot be said that demanding the said amount is arbitrary and illegal. On one hand, while seeking request of settlement as per the scheme, the petitioner, on the other hand, cannot question the demand of Rs.37,304/-, which is a condition imposed to consider the O.T.S. as per the conditions of the scheme.

3. The writ petition is devoid of merits and is accordingly dismissed.

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JUSTICE R. SUBHASH REDDY.

February 16, 2006

MRR